

WISHA REGIONAL DIRECTIVE

WISHA Services

Department of Labor and Industries

2.62

PSM INSPECTION TARGETING & TRACKING

Date: January 31, 2001

I. Background

Catastrophic accidents in the chemical industry have drawn attention to the safety of processes involving highly hazardous chemicals that are toxic, reactive, flammable, or explosive. On February 24, 1992, the federal Occupational Safety and Health Administration (OSHA) promulgated the final rule for process safety management (PSM). In response, the Department of Labor and Industries (L&I) adopted the state version in WAC 296-67, Process Safety Management of Highly Hazardous Chemical, which took effect September 10, 1992.

Releases of highly hazardous chemicals are generally unexpected and can occur rapidly with devastating consequences. To address such hazards, L&I has chosen to establish a PSM inspection targeting and scheduling program to deal with chemical processing facilities that have a potential for fatalities associated with catastrophic incidents.

Since comprehensive PSM inspections are complex, resource intensive, and of extended duration, WISHA has chosen to make the most effective use of its resources by selecting facilities with the greatest potential for catastrophic incidents for a measured review of their compliance with WAC 296-67.

This directive relies in part on the guidance provided in OSHA CPL 2-2.45 CH-1, dated September 13, 1994.

II. Scope and Application

This WISHA Regional Directive (WRD), which will remain in effect indefinitely, provides guidance to WISHA enforcement staff related to the targeting, scheduling, and tracking of PSM inspections. It supersedes all previous guidance on this subject, whether formal or informal.

III. Special Enforcement Protocols

A. What type of inspection activities will be used by enforcement staff to evaluate employer's compliance with the process safety management standard?

Enforcement activities related to the PSM standard -- either to determine if an employer is covered by the standard or to assess the employer's compliance with it -- may take place in any of the inspection types described below.

- Programmed PSM inspections:
 - Program-Quality-Verification (PQV) inspections as described in revised OSHA CPL 2-2.45A;
 - Screening for PSM coverage where a determination is made whether the establishment is covered by the PSM standard and whether the employer has a written PSM program.
- Unprogrammed PSM-related inspections:
 - Formal complaint or referral related to the PSM standard;
 - Responses to accidents and catastrophes as described in OSHA CPL 2.94.

B. How will employers be selected for programmed compliance inspections?

WAC 296-67 has broad applicability to potentially hazardous processes that may exist in a wide variety of industries. Due to the resource-intensive nature of inspection for compliance with the PSM standard, WISHA will be able to perform a limited number of inspections each year. A special targeting and scheduling system based on a limited number of industry codes will maximize the effective use of inspection resources. WISHA will use one or more of the factors listed below in determining the industries to be inspected:

- Published reports of major accidents and incidents;
- IMIS data, including the OSHA-170 Investigation Summary File;
- EPA Accident Release Information Program (ARIP) data;
- PSM standard citation history

An initial list of all known establishments within each identified industry code will be established by the PSM Specialist in WISHA Policy and Technical Services (P&TS) in coordination with the regional compliance supervisors. The selected industry codes and the list of identified employers will be updated at least every three years.

B. How will employers be scheduled for compliance inspections?

Each region will schedule programmed compliance inspections from the list of employers identified from the selected SIC. In consultation with the PSM Specialist in WISHA P&TS, each region also can schedule employers from facilities listed in the US EPA RMP national database (contain chemicals and amounts information from RMP plans submitted by facilities nationwide).

The regions will base their selection on such factors as:

- number of employees at the facility;
- age of facility;
- known toxicity of chemical's used in the facility's processes;
- frequency of media reports of releases or other incidents at the facility;
- local EPA information;
- past WISHA history at the facility including complaints received and/or follow-up inspections due;
- information from local/municipal fire departments.

The selection will be coordinated with the PSM Specialist in WISHA P&TS and will also take into consideration the need to give priority to inspecting the maximum number of employers, rather than targeting multiple inspections to the same employer, and the available regional resources and other inspection goals.

D. How many PSM inspections will be scheduled?

The number of employers selected for inspection may vary from region to region depending on the distribution of high-hazard industries affected by the standard and the availability of resource within a region.

Annually, each region will consult with the PSM specialist in WISHA P&TS and plan an appropriate number of compliance inspections involving the process safety standard. The scope and complexity of the inspections will be contingent on the availability of resources. The number of tracked inspections may also include complaints, referrals, and accident investigations.

E. How will employers be removed or deleted from the internal scheduling list?

Employers will be deleted from the internal scheduling list with the approval of the PSM specialist in WISHA P&TS and based on the following criteria:

- employer has received a substantiated complete systems safety inspection or PQV within the current year or preceding five years;
- employer is included in a corporate wide settlement agreement requiring appropriate management systems for processes at the scheduled facility;
- facility is a VPP site where an evaluation of the process safety management program has been completed;
- facility is a corporate location or facility that is not engaged in actual production or physical research operations;
- employer has been identified in the wrong industry code or is out of business;
- employer is not covered because of exclusions in the process safety standard;
- employer has been the subject of a PSM-related inspection (complaint or referral) in the preceding year during which PSM programs were screened;
- the facility does not have the threshold quantity of highly hazardous chemical to be covered by the process safety standard.

F. How will compliance inspections be tracked when CSHO's evaluate employer's compliance with the Process Safety Management Standard (WAC 296-67)?

When employer's compliance with the process safety management standard is evaluated *to any extent* during an inspection, the CSHO will record a tracking code of "**S 3PSM**" in box 42 of the WISHA-1 inspection report form. This applies to both programmed and unprogrammed inspections, whether or not violations are cited.

Approved: _____

Michael Wood

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For further information about this or other WISHA Regional Directives, you may contact WISHA Policy & Technical Services at P.O. Box 44648 or by telephone at (360)902-5503. You also may review policy information on the WISHA Website (<http://www.wa.gov/lni/wisha>).